GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Industries and Commerce Department – Misuse and diversion of coal by M/s G.V.Chemicals, Narsingapuram, Chittoor – Disciplinary action against Sri K. Guruvaiah, Dy.Director (Retd), DIC, Chittoor and 2 others – Common Inquiry conducted – Charges framed – Inquiry conducted- Imposing the punishment of "**Recovery of an equivalent amount of one Annual Grade Increment without cumulative effect for one year and recovery of an amount of Rs.13,51,000/-**" against **Sri K. Guruvaiah, Dy.Director** (Retd), DIC, Chittoor District " – Orders - Issued.

INDUSTRIES & COMMERCE (VIGILANCE) DEPARTMENT

G.O.RT.No. 232 Dated: 01-12-2020

Read the following:

1) From the GA (V&E) Deptt., Vigilance Report No.96, (C.No. 877/V&E/NR2/2003), dt. 25.08.2004.
2) From the COI, Lr.No. 40/1/2004/0358/0358/ID, dt.18.10.2006.
3) Govt Memo.No. 11712/Vig.A2/2004, dt.07.08.2007.
4) G.O.Rt.No.434, Ind. & Com. (Vig.) Dept., dt:25.07.2009.
5) G.O.Rt No. 163, Ind & Com (Vig) Deptt., dt.16.03.2012.
6) G.O.Rt No. 250, Ind & Com (Vig) Deptt, dated.20.04.2012.
7) From Dr.Prem Chand, IAS, Commissioner of Inquiries, A.P Secretariat, Hyd., D.O Lr. No. 138/COI.P/2012-7, DT: 06.08.2013
8) Govt Memo.No. 11712/Vig.A2/2004, dt.23.11.2013.
9) From the COI, Lr.No.40/1/2004/0358/0358/ID, dt.15.03.2014.
10) Govt Memo. No. 11712/Vig.A2/2004, dt.25.07.2014.
11) From the DOI, Lr.No. 40/1/2004/0358/0358/ID, dt.01-09-2015.
12) From the COI, Hyd., Lr.No.40-3-2004-0358, Dt: 06.07.2020.
13) Govt Lr.No. 11712/Vig.A2/2004, dt.20.07.2020.
14) From the Secretary, APPSC, Lr.No.260/DC/DC&C/2020, dt: 06.11.2020.

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ORDER:

Based on the Vigilance Report No.96 received from the GA (V&E) Deptt, dt.25.08.2004 vide reference 1st read above, Government requested the Commissioner of Industries to initiate departmental action for major penalty against the General Manager and others, DIC, Chittor as they are reported to be responsible for negligence and irregularity committed by the Unit, M/s G.V Chemicals, Chittor in having mis-utilised the coal allotted to them.

2. In reply, the Commissioner of Industries vide reference 2nd read above has submitted that Sri K. Guruvaiah, Dy Director, DIC, Chittor and(2) others are found to be responsible for processing the file relating to restoration of coal supply to M/s G.V Chemicals, Narsingapuram, Chittor District. In the reference 3rd read above, Government have requested the Commissioner of Industries to take necessary action against Sri K. Guruvaiah, Dy Director, DIC, Chittor since he is the disciplinary authority against them and send the action taken report to Government.

3. Further, Government have decided to conduct common enquiry against all the three (3) charged officers involved in the case including Sri K. Guruvaiah, Dy Director, DIC, Chittor.

(P.T.O)

4. And whereas; in the reference 4th read above, Sri Subhrendu Bhattacharya, Member, Commissioner of Inquiries was appointed as the Inquiry Authority to inquire into the charges framed against Sri K. Guruvaiah, Dy. Director, DIC, Chittor and others. Further the case was reassigned to Sri Jithender, IPS, Commissioner of Inquiries vide reference 5th read above. The case was again reassigned to Dr.Prem Chand, Commissioner of Inquiries vide reference 6th read above. The Inquiry officer submitted his report vide reference 7th read above with the findings that the charge against Sri K. Guruvaiah proved partly.

5. In the reference 8th read above, a copy of the inquiry report was forwarded to the Commissioner of Industries with a request to serve the same on the charged officers as per Rule-21(2) of APCS (CCA) Rules 1991 and obtain their explanations, examine the same and furnish his report with specific remarks to take further action in the matter.

6. In the reference 9th read above, the Commissioner of Industries has furnished the statement of Sri K. Guruvaiah, Dy Director, DIC, Chittor along with his remarks.

7. In the reference 10th read above, the Commissioner of Industries was requested to indicate the quantum of financial loss occurred in the supply of coal to the fake units. The Director of Industries vide reference 11th read above, has submitted that there is a coal diversion of 20,265 MTs tentatively with financial implication of Rs.40.53 lakhs. Thus, it is proved from the Final Arguments furnished by the Presenting Officer that M/s G.V Chemicals Ltd, Chittor District has diverted the coal to an extent of 20,265 MTs with a financial implication of Rs.40.53 lakhs.

8. Government, after examination of the matter, have decided to impose the punishment of recovery of an equivalent amount of one(1) Annual Grade Increment without cumulative effect for one year and an amount of Rs.13,51,000/- from the pensionary benefits of Sri K. Guruvaiah, Dy. Director (Retd), DIC, Chittor under A.P Revised Pension Rules, 1980 and addressed the APPSC for their concurrence vide reference 13th read above.

9. The Secretary, APPSC, in the reference 14th read above, has communicated the consent of the Commission to impose the punishment of recovery of an equivalent amount of one (1) Annual Grade Increment without cumulative effect for one year and an amount of Rs.13,51,000/- from Sri K. Guruvaiah, Dy Director (Retd), DIC, Chittor.

10. Accordingly, Government after careful examination of the matter and based on the material available, decided to impose the punishment of "**Recovery of an equivalent amount of one Annual Grade Increment without cumulative effect for one year and recovery of an amount of Rs.13,51,000/-"** against Sri K. Guruvaiah, Dy.Director (Retd), DIC, Chittoor District.

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11. The Director of Industries, Vijayawada shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Guruvaiah, Dy.Director (Retd), DIC, Chittoor District
(through the DoI, Vijayawada)
The Director of Industries,
1st Floor, Government Printing Press,
Mutyalampadu, Vijayawada- 520011, Andhra Pradesh
Copy to
The Secretary,APVC, AP. Secretariat, 5th Building, Velagapudi.
The Secretary, APPSC, New Government Offices Building,
2nd Floor, M.G.Road, Punammathota, Labbipet, Vijayawada.
The Accountant General, AP, Vijayawada.
The Director General, GA(V&E) Department, PNBS, Vijayawada.
The Industries & Commerce (Estt.) Department.
SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER